

KERRY WOODS §  
v. § CIVIL ACTION NO. 5:14cv114  
CHAPLAIN McCLURE §

The Plaintiff Kerry Woods, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged violations of his constitutional rights. This Court ordered the case referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Woods complained of an incident occurring July 21, 2012, in which he and other prisoners at the Federal Correctional Institution in Texarkana were allegedly denied the right to practice their religion. The Defendant Chaplain Greg McClure filed a motion to dismiss or for summary judgment, to which Woods did not file a response despite an order directing him to do so.

After review of the pleadings, the Magistrate Judge issued a Report recommending the motion for summary judgment be granted and the lawsuit dismissed. Woods received a copy of this Report but filed no objections thereto; accordingly, he is barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).


The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

ORDERED the Report of the Magistrate Judge (docket no. 13) is ADOPTED as the opinion of the District Court. It is further

ORDERED the Defendant's motion to dismiss or for summary judgment (docket no. 10) is GRANTED and the above-styled civil action is DISMISSED with prejudice. It is further

ORDERED any and all motions which may be pending in this civil action are hereby DENIED.

**SIGNED this 24th day of November, 2015.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE